

RECEIVED
CENTRAL FAX CENTER

APR 05 2005

Attorney Docket No. LeA 35 010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Henning, et al.

Serial No.: 10/022,618

Group Art Unit: 1642

Filed: December 17, 2001

Examiner: Susan Ungar

For: Method for Specifically Detecting Tumor Cells and Their Precursors in Uterine Cervical Smears by Simultaneously Measuring at Least Two Different Molecular Markers

CERTIFICATION OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any papers referred to as attached are being facsimile transmitted to the U.S. Patent and Trademark Office at (703) 872-9306.

Date: April 5, 2005

Susan M. Pellegrino
Susan M. Pellegrino

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition the Commissioner for Patents under the provisions of 37 C.F.R. 1.136(a) to extend the time for filing a response to the Office Action mailed on November 8, 2004 for four (4) month(s) from December 8, 2004 to April 8, 2005. Please charge the fee for the three-month extension of time to Deposit Account No. 13-3372.

In response to the restriction requirement mailed on November 8, 2004, Applicants elect the claims of restriction Group A, claims 1-3 and 9-11, directed to a method for detecting tumor cells in uterine cervical smears by simultaneously detecting at least two polypeptide molecular markers in a cell, wherein the markers are selected from at least one of tumor suppressor genes and apoptosis genes, for further prosecution in this application. In addition, the Examiner stated that "...if Applicant elects one of the inventions A1-A74, election is required of one of inventions A1-A72 and one of inventions B1-B542,250" (page 4 of the Office Action). Applicants elect restriction Group B, claims 1-3 and 9-11, directed to a method for detecting tumor cells in uterine cervical smears by simultaneously detecting at least two molecular markers in a cell, wherein the markers are selected from at least one of her2/neu and p53 for further prosecution in this application.

04/19/2005 GDUCKETT 00000012 133372 10022618

01 FC:1254 1590.00 DA

1